

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

THURSDAY, THE 28TH JUNE 2007 / 7TH ASHADHA 1929

WP(C).No. 10989 of 2006(G)

PETITIONER:

PAUL C. MATHEW, S/O.MATHEW,
CHAKKALAKAL HOUSE, CSEZ P.O., THUTHIYOOR,
KOCHI-37.

BY ADV. SRI.PULIKKOOL ABUBACKER
SRI.ZUBAIR PULIKKOOL

RESPONDENTS:

1. THRIKKAKARA GRAMA PANCHAYAT REP.
BY ITS SECRETARY, THRIKKAKARA.

2. AGRICULTURAL OFFICER,
KRISHI BHAVAN, THRIKKAKARA.

3. MANAGER, SOCIO ECONOMIC UNIT,
ALAPPUZHA.

R1 BY ADV. SRI.S.SHANAVAS KHAN
BY GOVT. PLEADER SRI. RAVIKRISHNAN.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 28/06/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

WPC. 10989/2006.

APPENDIX

PETITIONER'S EXTS:

EXT. P1 : TRUE COPY OF THE TENDER PUBLISHED IN MATHRUBHUMI.

EXT. P2 : TRUE COPY OF THE RECEIPT DATED 5.3.2005 ISSUED BY THRIKKAKARA PANCHAYATH.

EXT. P3 : TRUE COPY OF THE LETTER DATED 18.11.2005 ISSUED BY AGRICULTURAL OFFICER TO THE PETITIONER.

EXT. P4 : TRUE COPY OF THE EXPERIENCE CERTIFICATE DATED 25.10.2005.

EXT. P4(a) : TRUE COPY OF THE EXPERIENCE CERTIFICATE DATED 25.10.2005.

EXT.P4 (b) : TRUE COPY OF THE EXPERIENCE CERTIFICATE DATED 19.11.2005.

EXT. P5 : TRUE COPY OF THE RECEIPT DATED 10.11.2005 ISSUED BY THE KEEZHMADU CO-OPERATIVE SOCIETY, ALUVA.

RESPONDENTS' EXTS:

EXT. R1(a) : TRUE COPY OF THE GOVERNMENT ORDER NO.2334/01/LSGD DATED 16.7.2001.

K.M.JOSEPH, J.

WP.(C) No.10989 of 2006

Dated this the 28th day of June, 2007

JUDGMENT

Petitioner participated in a tender invited by the respondent Bank for supply of mud pot and earthworm for the purpose of organic vegetable cultivation. Petitioner's tender was accepted. Later he was asked to produce experience certificate and also a model of the mud pot. Petitioner produced experience certificates, Exts.P4, P4(a) and P4 (b) and also a model of mud pot. The work was not given to the petitioner. Instead it was given to the third respondent, who has not participated in the tender. This is challenged by the petitioner.

2. I heard counsel for the petitioner and counsel for the respondent Bank. Learned counsel for the respondent Bank submits that in terms of the conditions of the tender, petitioner has to produce experience certificate. But he did not produce it as directed in time, resultantly the contract was cancelled. As nobody including the petitioner has turned up, the contract was given to the third respondent. Petitioner did not produce the experience certificate within the time

given.

Accordingly there is no merit in the writ petition. It is dismissed.

(K.M. JOSEPH, JUDGE)

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